

Application No. 10/763,634

AMENDMENT AND RESPONSE TO OFFICE ACTION dated January 6, 2006

Reply to Office Action of November 2, 2005

### AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listing, of claims in the application:

#### Listing of Claims:

1. (Currently Amended) A closure mechanism for a beverage preparation machine comprising a fixed lower part, an upper part rotatable relative to the lower part and a cartridge holder interposed between the lower part and the upper part and being rotatable relative to the lower part and the upper part, wherein the lower part comprises inlet piercing means and outlet piercing means for forming, respectively, an inlet and an outlet, in use, in a cartridge received in the cartridge holder, wherein rotation of the upper part towards the lower part causes the upper part to engage the cartridge holder and to ~~[[move]]~~ pivot the cartridge holder into contact with the lower part and at the same time to cause, in use, the inlet piercing means and the outlet piercing means to pierce a cartridge received in the cartridge holder.

2. (Original) A closure mechanism as claimed in claim 1 wherein the upper part is moveable from between an open position for receiving a cartridge in the cartridge holder and a closed position in which the cartridge holder is in contact with the lower part.

3. (Original) A closure mechanism as claimed in claim 2 wherein in the open position the upper part is oriented substantially vertically.

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4. (Original) A closure mechanism as claimed in claim 3 wherein in the closed position the upper part is orientated horizontally.

5. (Original) A closure mechanism as claimed in claim 4, wherein the cartridge holder comprises a recess for receiving a cartridge.

6. (Original) A closure mechanism as claimed in claim 5 wherein the recess comprises an irregularity for preventing rotation of a cartridge received in the recess.

7. (Original) A closure mechanism as claimed in claim 6 wherein the cartridge holder is biased relative to the fixed lower part such that in an open position with the upper part disengaged from the lower part and the cartridge holder, the cartridge holder is disengaged from the lower part.

8. (Original) A closure mechanism as claimed in claim 7 wherein, in the open position, the cartridge holder is disengaged from the inlet piercing means and the outlet piercing means.